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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,404	06/11/2001	Ramesh Kavanappillil	10003761-2	4610

7590 04/08/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

IQBAL, NADEEM

ART UNIT	PAPER NUMBER
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2114

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,404

Applicant(s)

KAVANAPPILLIL ET AL.

Examiner

Nadeem Iqbal

Art Unit

2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: No structural cooperative relationships of listed modules are described in the claim.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5 is rejected under 35 U.S.C. 102(e) as being anticipated by Wahl et al., (U.S. Patent number 6324654).

1. As per claim 1, Wahl et al., teaches (col.2, lines 47-47) a computer network remote data mirroring system that performs a data update both to a local data device and to a local chronologically sequenced journal storage area, writelog device. He thus would include service navigator module and global control module to perform data mirroring as disclosed above. He also teaches (col. 2, lines 66,67, 68-70) a primary mirror daemon on the local, or primary

Art Unit: 2114

computer system that monitors the writelog device for data updates and feeds the data over a network in the same order in which it is stored to a receiving remote mirror daemon on a remote, or secondary computer system. He thus would include a local control module to perform the functionality of monitoring the writelog device for data updates. He performs remote mirroring as stated above so would include a remote mirroring module, database modules, and a database backup module, since he performs data updates and feeds the data over a network in the same order in which it is stored to a receiving remote mirror daemon on a remote, or secondary computer system. He also teaches (col. 11, lines 32-35) failure recovery with the primary and remote mirror daemons initiated automatically. He thus would include error analyzer modules included within the failure recovery of Wahl et al. He also teaches as stated above the writelog device for data updates and feeds the data over a network. He thus would include an archive log handling module and a tuxedo module.

3. As per claim 2, Wahl et al., teaches (col.2, lines 47-47) a computer network remote data mirroring system that performs a data update both to a local data device and to a local chronologically sequenced journal storage area, writelog device. He thus teaches limitations pertain to a primary transaction processing site and a standby transaction processing site as claimed. He also teaches (col. 2, lines 66,67, 68-70) a primary mirror daemon on the local, or primary computer system that monitors the writelog device for data updates and feeds the data over a network in the same order in which it is stored to a receiving remote mirror daemon on a remote, or secondary computer system. He thus teaches a standby processing site that is continuously updated with data to reflect the data state of the primary processing. He also teaches (col. 11, lines 32-35) failure recovery with the primary and remote mirror daemons

Art Unit: 2114

initiated automatically. He thus teaches limitations pertain to monitoring the primary site for errors and the failover of the primary site to the standby site in order to continue processing at the remote site.

4. As per claims 3 & 4, He teaches (col. 3, lines 33-36) a graphical user interface that provide for configuring the logical groups, as well as for monitoring performance of the remote data mirroring system. He thus limitations pertain to state display component that displays the operation status.

5. As per claim 5, Wahl et al., teaches (col. 11, lines 32-35) failure recovery with the primary and remote mirror daemons initiated automatically. He thus would include a rapid database failover and restoration component as claimed.

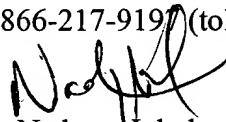
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadeem Iqbal whose telephone number is (703)-308-5228. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (703)-305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2114

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nadeem Mqbal
Primary Examiner
Art Unit 2114

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